

REMARKS

Reconsideration of this application, as amended, is requested.

Claims 1-6 and 11-22 remain in the application. Claim 1 is the only independent claim and has been amended to define the invention with greater particularity. New dependent claim 22 has been added.

All of the claims as previously presented were rejected under 35 USC 103(a) as being obvious over Kielpikowski et al. (US 4,842,596). The Examiner identified the elements of Kielpikowski et al. that were considered to correspond to the elements recited in the previously presented claims. With respect to claim 1, the Examiner asserted that the Kielpikowski et al. reference relates to a wearing article with a main body that has a front part 28, a back part 30 and a crotch part 16 coupling the front and back parts as shown in FIG. 1 of Kielpikowski et al. The Examiner concluded that the main body has a pair of waist edges 13, 14 and leg edges 18 opposed to each other. Shirring was considered to be formed in a widthwise middle part of the crotch of the main body to shorten a space between the front and back parts by the shrinking force of the elastic member.

The invention to which the amended claims are directed defines a wearing article with the shape of trunks or bloomers, as illustrated most clearly in FIG. 1A of the subject application. More particularly, amended claim 1 defines a wearing article with a main body including a front part, a back part and a crotch part coupling the front and back parts. The main body has a pair of waist edges opposed to each other and a pair of leg edges opposed to each other. Shirring is formed in a substantially widthwise middle portion of the crotch part of the main body to shorten a space between the front and back parts. Amended claim 1 further specifies that "the space between the front and back parts

is shorter at the widthwise middle of the crotch part more than at both sides of the crotch part, and both widthwise sides of the crotch part form part of a leg portion below a forking of the crotch part upon wearing the wearing article." Claim 1 continues to define the ratio of the length of the crotch part along the forward and backward directions to a length between the pair of waist edges.

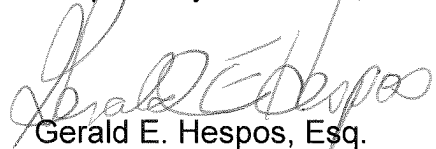
In contrast to amended claim 1, the wearing article of Kielpikowski et al. has a shirring formed in the crotch part by arranging an elastic member on the crotch flaps to be adhered along portions around the legs, i.e., the widthwise outer extremes of the crotch part, or by forming a folded part as explained at col. 9, lines 14 and 15. With this construction, the widthwise extremes of the crotch part of Kielpikowski et al. are shrunk maximally in the lengthwise direction of the wearing article when the wearing article is worn, as shown in FIGS. 6-9 of Kielpikowski et al. As a result, the portion of the Kielpikowski et al. wearing article around the legs is extended upwardly from the widthwise middle portion of the crotch, i.e., the forking of the crotch part. Thus, when the wearing article of Kielpikowski et al. is worn, there is no leg portion below the forking of the crotch part.

The teaching of Kielpikowski et al. cannot provide a wearing article with a shape similar to the shape of trunks or bloomers. In contrast, the invention defined by amended independent claim 1 and its dependent claims specifies that "the space between the front and back parts is shorter at the widthwise middle portion of the crotch part more than at both widthwise sides of the crotch part and that both widthwise sides of the crotch part form part of a leg portion below a forking of the crotch part upon wearing the wearing article. The resulting shape provides a comfortable wearing sensation and good

appearance. More specifically, the claimed invention realizes the shape of trunks or bloomers with a simplified construction of pulling the widthwise middle portion of the crotch part upwardly. It is submitted that Kielpikowski et al. does not teach or suggest the invention defined by the amended claims and allowance is solicited. The Examiner will note that new claim 22 defines this shape with reference to the crotch part and the waist edges. this structure clearly is not suggested by the prior art.

In view of the preceding amendments and remarks, it is submitted that the remaining claims all are directed to patentable subject matter and allowance is solicited. The Examiner is urged to contact applicant's attorney at the number below to expedite the prosecution of this application.

Respectfully submitted,



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